

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**Applicants : Mark A. EMALFARB *et al.*

Serial No. : 09/284,152

Group Art Unit : 1652

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Examiner : C. FRONDA

For : CHRYSOSPORIUM CELLULASE AND METHODS OF USE

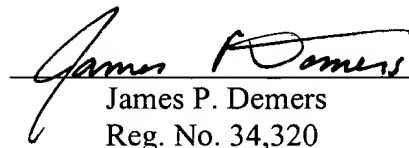
*10***TERMINAL DISCLAIMER TO OBVIATE A PROVISIONAL DOUBLE
PATENTING REJECTION OVER A PRIOR PATENT**

The owner, **Mark A. Emalfarb**, of 100 percent interest in the instant application, hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application, which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. 154 to 156 and 173, as presently shortened by any terminal disclaimer, of either one of prior US Patents **5,811,381** and **6,015,707**. The owner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and prior US Patents 5,811,381 and 6,015,707 are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

In making the above disclaimer, the owner does not disclaim the terminal part of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. 154 to 156 and 173 of either of the prior patents, as shortened by any terminal disclaimer filed prior to the patent grant, in the event that either or both of the prior patents: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321, has all claims cancelled by a reexamination certificate, is reissued, or is in any manner terminated prior to the expiration of its full statutory term as shortened by any terminal disclaimer filed prior to its grant.

The undersigned is an agent of record.

Dated: December 29, 2000


James P. Demers
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110.00 DP

☒ A check for the terminal disclaimer fee under 37 CFR 1.20(d) is enclosed.

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